

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

TONYA HILL,

Plaintiff,

v.

JENNIFER CROPP MEDLIN,

Defendant.

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1:23-cv-912-DII

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Dustin Howell concerning Plaintiff Tonya Hill’s (“Hill”) complaint pursuant to 28 U.S.C. § 1915(e), 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas. (R. & R., Dkt. 4). In his report and recommendation, Judge Howell recommends that the Court dismiss this action with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B). (*Id.* at 5). Hill timely filed objections¹ to the report and recommendation. (Dkt. 6).

A party may serve and file specific, written objections to a magistrate judge’s findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Hill timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Hill’s objections restate the claims made in her original complaint against the same party. (*Compare* Compl., Dkt. 1, *with* Dkt. 6). Having completed a *de novo* review, the Court overrules Plaintiff’s objections and adopts the report and recommendation as its own order.

¹ After Judge Howell issued the report and recommendation, Hill filed a second complaint. (*See* Dkt. 6). In an abundance of caution since Hill is proceeding pro se, the Court construes that filing as objections to the report and recommendation.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. 4), is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's claims are **DISMISSED WITH PREJUDICE**.

The Court will enter final judgment by separate order.

SIGNED on October 3, 2023.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE